

TYSHON MALEKE HARMON,
Plaintiff,

v.
DOCTOR RICHARD MACK, et al.,
Defendants.

) No. C 10-4053 LHK (PR)
)
) ORDER DENYING MOTION TO
) HAVE SALINAS VALLEY STATE
) PRISON PROVIDE ADDRESSES
) ON RECORD; DISMISSING
) UNSERVED DEFENDANTS
) WITHOUT PREJUDICE
)
) (Docket No. 74)

Order Denying Motion to Have Salinas Valley State Prison Provide Addresses on Record; Dismissing Unserved Defendants without Prejudice
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1 14 f.3d 1415, 1421-22 (9th Cir. 1994), *overruled on other grounds by Sandin v. Connor*, 515
2 U.S. 472 (1995) (prisoner failed to show cause why prison official should not be dismissed under
3 Rule 4(m) because prisoner did not prove that he provided Marshal with sufficient information to
4 serve official or that he requested that official be served). Thus, Plaintiff's motion to compel is
5 DENIED.

6 On September 19, 2011, the court issued an order granting Plaintiff one more extension
7 of time to locate the unserved Defendants. The Court cautioned Plaintiff that he "must provide
8 the Court with accurate and sufficient information for Defendants Kachare, Remington,
9 Bowman, Rodriguez, and Moses such that the Marshal is able to effect service upon them," or
10 face dismissal of those Defendants. More than thirty days from the date of that order have
11 passed, and Plaintiff has not provided the Court with any further identifying or location
12 information for any of the five unserved Defendants.

13 Accordingly, Defendants Kachare, Remington, Bowman, Rodriguez, and Moses are
14 DISMISSED from this action without prejudice.

15 IT IS SO ORDERED.

16 DATED: 11/22/11


LUCY H. KOH
United States District Judge